

MONDAY, 9 o'clock, A. M., November 26, 1849.

The Senate was called to order by the President. Senators present: Messrs. Brashear, Cooke, Davis, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Robertson, Truit, Ward and Wallace. The journal of Saturday was read and adopted.

Mr. Walker was excused from attendance, on account of sickness.

Mr. Pease presented the petition of D. Hardeman and M. Austin Bryan; which was, on motion of Mr. Pease, referred to the committee on Internal Improvements, without reading.

Mr. Gage, chairman of the committee on Privileges and Elections, to whom was referred a bill regulating the pay of electors of President and Vice President of the United States, which originated in the House of Representatives; also, a bill for the same purpose originating in the Senate, reported the same back to the Senate and recommended that the Senate's bill be adopted as a substitute for the bill originating in the House of Representatives.

Mr. Moffett, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed:

A bill to fix the salaries and per diem pay of officers not otherwise provided for by law; a bill to amend the ninth section of an act authorizing and requiring county courts to regulate roads and appoint overseers, &c., and joint resolution authorizing and requiring the Secretary of State to employ a clerk to copy the laws of the present session of the Legislature.

Mr. Ward, chairman of the Select committee, to whom was referred a joint resolution instructing our Senators and requesting our Representatives in the Congress of the United States to procure the establishment of certain mail routes upon which the mail shall be transported in coaches and hacks, reported a substitute for the same and recommended its adoption.

Mr. Pease introduced a bill to authorize clerks of county courts to take the acknowledgment of married women to deeds; read first time.

Mr. Cooke offered the following resolution:

*Resolved*, That the Commissioner of the General Land Office be required to lay before this body such papers and documents, in reference to certificates issued by the Board of Land Commissioners of Robertson county as he may have in his possession; adopted.

Mr. Cooke introduced a bill authorizing the Commissioner of



the General Land Office to issue patents to applicants on certificates from the Board of Land Commissioners of Robertson county that have not been legally returned to the Commissioner of the General Land Office; read first time.

Mr. Brashear introduced a bill to protect the citizens of the State of Texas against oppression from foreign corporations; read first time.

Mr. Van Derlip introduced a bill to incorporate the town of Castroville; read first time.

Mr. Portis offered the following resolution:

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of repealing the act to organize the militia of the State of Texas, approved 21st April, 1846, and of transferring the archives and records of the Adjutant General's office to the office of the Secretary of State, and that they report by bill or otherwise; adopted.

Mr. Phillips introduced a bill to repeal the first section of an act supplementary to an act regulating the sale of runaway slaves, approved Jan. 27, 1844; read first time.

#### ORDERS OF THE DAY.

A bill to permit Mary Gillespie to adopt Susan Lavinia McGuffin, infant daughter of Samuel and Mary E. McGuffin, both deceased, late of the county of Grimes; read third time and passed.

Joint resolution requesting the contractor of the mail from Austin to Clarksville, by way of Bonham, to transport the mail on said route semi-weekly, instead of weekly, and making provisions for the same; read third time and passed.

A bill to amend an act entitled an act establishing more permanently the seat of justice of Collin county, approved January 12, 1848; read third time and passed.

A bill to fix the salaries and per diem pay of officers not otherwise provided for by law; read third time.

Mr. Wallace moved to amend the bill by striking out \$600 for Governor's Private Secretary; upon which the yeas and nays were called, and stood thus:

YEAS: Messrs. Burleson, Hart and Wallace—3.

NAYS: Messrs. Brashear, Cooke, Davis, Gage, Grimes, Kinney, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Robertson, Taylor, Van Derlip and Ward—17; lost.

The bill was then passed.

A bill to amend the ninth section of an act authorizing and requiring the county courts to regulate roads and appoint over-



seers, &c.; read third time, and, on motion of Mr. Grimes, re-committed to the committee on Roads, Bridges and Ferries.

A bill providing for the payment of the forage and subsistence of the company of mounted volunteers mustered into the service of this State by Col. H. L. Kinney, on the 10th day of June, 1849; read second time, and, on motion of Mr. Pease, made the special order of the day for to-morrow.

A message was received from the House of Representatives, informing the Senate that the House had passed the following bills, which originated in the Senate: A bill to provide for running and establishing correctly the line between Nacogdoches and Fannin land districts, and a bill to amend the first section of an act fixing the time at which laws passed shall go into effect, &c., approved 16th January, 1840.

Preamble and joint resolutions instructing our Senators and requesting our Representatives to urge upon the Congress of the United States the payment of the volunteers called into service, in 1849, by the Governor of this State, for the protection of the South-Western frontier; read second time, and, on motion of Mr. Phillips, made the special order of the day for to-morrow.

A bill to quiet the land-titles of those claiming land, under patents issued by the Republic of Texas, by the State of Texas, and titles issued to colonists, settlers or citizens before the act of the consultation, closing the Land Offices in November, 1835, under the colonization laws of the Government of Mexico and the State of Coahuila and Texas, as head-rights of families, and to single men, where the titles issued for one league and labor of land or less; read second time, and, on motion of Mr. Gage, referred to the Judiciary committee.

A bill to prevent Justices of the Peace from issuing executions on judgments before the end of the tenth day after the rendition of said judgments; read second time, and, on motion of Mr. Wallace, referred to the Judiciary committee.

Joint resolution granting an annuity to David F. Webb; read second time, and, on motion of Mr. Wallace, referred to the committee on Military Affairs.

A bill authorizing holders of head-right certificates, bounty warrants or land scrip to have the same surveyed in three or more lots; read second time, and, on motion of Mr. Gage, referred to the committee on Private Land Claims.

A bill creating the counties of Presidio, El Paso and Worth; read second time, and, on motion of Mr. Phillips, referred to the committee on County Boundaries.

A bill defining the boundaries of the county of Santa Fe;



read second time, and, on motion of Mr. Van Derlip, referred to the committee on County Boundaries.

The report of the committee on Privileges and Elections, recommending that the bill originating in the Senate to establish the per diem and mileage pay of the electors of President and Vice President of the United States be adopted as a substitute for a bill for the same purpose originating in the House of Representatives; read and adopted—bill read and passed to the third reading.

A joint resolution instructing our Senators and requesting our Representatives in the Congress of the United States to procure the establishment of certain mail routes upon which the mail shall be transported in coaches and hacks, together with the report of the Select committee, offering a substitute therefor, was read; report adopted, and joint resolution, on motion of Mr. Kinney, referred to the committee on Federal Relations.

On motion of Mr. Truit, the Senate adjourned.

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TUESDAY, 9 o'clock A. M., November 27, 1849.

The Senate was called to order by the President. Senators present:—Messrs. Brashear, Burleson, Cooke, Davis, Gage, Grimes, Hart, Kinney, Latimer, Moffett, Parker, Pease, Phillips, Portis, Taylor, Truit, Van Derlip, Ward and Wallace. The journals of yesterday were read and adopted.

Mr. Phillips, chairman of the committee on the Judiciary, to whom was referred a resolution of the Senate requiring them to take into consideration the propriety of authorizing the county courts to appoint jailors, reported that the committee deemed it inexpedient to make the proposed change in the existing law, and asked to be discharged from its further consideration.

Mr. Phillips, from the same committee, to whom was referred a bill granting further time for the payment of government dues and the return of field notes, with proposed amendments, reported the same back to the Senate, without amendments, and recommended its passage.

Mr. Cooke introduced a bill, prescribing the time beyond which no grand jury shall remain in session in any county; read first time.